

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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INTELLIVISION, a Joint Venture,	:	Civil Action No. 07 CV 4079 (JGK)
	:	ECF Case
Plaintiff,	:	
	:	DECLARATION OF
- against -	:	ROBERT S. LANDY IN
	:	SUPPORT OF MICROSOFT'S
MICROSOFT CORPORATION,	:	<u>MOTION TO DISMISS</u>
	:	
Defendant.	:	
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I, Robert S. Landy, hereby declare, under penalty of perjury:

1. I am a member of the Bar of the State of New York, admitted to practice before this Court, and am an associate with the firm of Sullivan & Cromwell LLP, counsel for defendant Microsoft Corporation ("Microsoft") in the above-captioned matter. I make this Declaration in support of Microsoft's Motion to Dismiss, in particular, to place a document before the Court that is integral to plaintiff Intellivision's claims although it is not annexed to the Complaint in this action, dated January 12, 2007.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Agreement between Microsoft Corporation and Intellivision, signed by Intellivision and its three principals on January 11, 2001 and by Microsoft on January 19, 2001. On information and belief, the attached Agreement is the same document referenced by Intellivision in the Complaint.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: June 15, 2007



Robert S. Landy (RL 9873)